

3. STATUS OF THE CLAIMS

The present application was filed on December 5, 2003, with claims 1-10. In response to a Non-Final Office Action filed on May 21, 2008, Appellant added claims 11-16. In response to a Final Office Action filed on May 21, 2008, Appellant added claim 17. A Final Office Action (*Office Action*) was electronically dated and sent on September 10, 2009. An Amendment and Response to Final Office Action was filed on December 10, 2009, but the claim amendments were not entered. Claims 1-17 stand twice rejected, remain pending, and are the subject of the present Appeal.

4. STATUS OF AMENDMENTS

Subsequent to the *Office Action* dated September 10, 2009, an Amendment and Response to Final Office Action was filed on December 10, 2009, but the claim amendments were not entered.

5. SUMMARY OF CLAIMED SUBJECT MATTER

INDEPENDENT CLAIM 1

Aspects of the present inventive subject matter of independent claim 1 include, but are not limited to, a method of managing the transmission of interactive information over a satellite broadcast system in a fashion that is compatible with a user's set-top box such that the user can view the interactive content.¹

1. A method (*See generally, Figs. 2 and 3*) for sending interactive textual and graphical data from a content provider to a set-top box through a broadcast system (*Page 4, lines 16-19 and page 5, lines 1-2; Fig. 1, elements 100, 104, and 130*), said method comprising: receiving said textual data and said graphical data from said content provider in a server that is located in an uplink center (*Page 5, lines 1-2; page 7, lines 24-27; and Fig. 3, element 302*); retrieving said textual and said graphical data from said server into an application streamer coupled to said server (*Page 7, lines 7-8, lines 2-4 and Fig. 2, element 202*); converting said textual data and said graphical data into interactive data in said application streamer, the interactive data compatible with the set-top box (*Page 7, lines 9-11; page 8, lines 7-13; Fig. 2, element 204; and Fig. 3, element 306*); using said application streamer to create a file directory structure based on a priority for each file in the file directory structure, the priority for each file determined using information about each file present in said textual data and said file directory structure comprising at least one data file and at least one graphical data file formatted by the application streamer to be compatible with the set-top box (*Page 8, line 29 to page 9, line 9; and Fig. 3, element 308*);

¹ Appellant notes that all reference elements, paragraph numbers, and line numbers are made in reference to Appellant's as-filed specification.

using said application streamer to create a node tree on a broadcast streamer by mirroring said file directory structure such that each file in said file directory structure becomes a node with a corresponding priority in said node tree on said broadcast streamer (*Page 9, lines 13-26 and Fig. 3, element 310*);

allocating bandwidth and transmission frequency to each node of said node tree based on the corresponding priority of each said node (*Page 10, lines 10-12 and 22-26; Fig. 3, element 312*); and

using said broadcast streamer to multiplex said nodes of said node tree with a regular broadcast stream resulting in an interactive data stream (*Page 7, lines 16-23; and Fig. 2, elements 206 and 208*).

INDEPENDENT CLAIM 9

Aspects of the present inventive subject matter of independent claim 9 include, but are not limited to, a system to manage the transmission of interactive information over a satellite broadcast system in a fashion that is compatible with a user's set-top box such that the user can view the interactive content.

9. A system (*See generally, Fig. 1*) for sending interactive textual and graphical data from a content provider to a set-top box through a broadcast system (*Page 4, lines 16-19 and page 5, lines 1-2; Fig. 1, elements 100, 104, and 130*), said system comprising:
a server (*Page 5, lines 20-23 and Fig. 1, element 111*), located in an uplink center (*Fig. 1, element 104*), that receives said textual data and said graphical data from said content provider (*Page 5, lines 1-2*);
an application streamer (*Page 5, lines 15-16 and Fig. 1, element 109*), that is coupled to said server, that retrieves said textual data and said graphical data from said server (*Page 5, lines 16-20*), and that converts said textual data and said graphical data into interactive data compatible with the set-top box (*Page 5, lines 27-29 and page 8, lines 7-13*);

a file directory structure (*See generally, Fig. 4*) that is created by said application streamer (*Page 14, lines 13-15*) based on a priority for each file in the file directory structure (*Page 10, lines 3-4*), the priority for each file determined using information about each file present in said textual data and said file directory structure comprising at least one data file and at least one graphical data file formatted by the application streamer to be compatible with the set-top box (*Page 14, lines 11-18 and 23-26*);

a node tree that is created by said application streamer on a broadcast streamer (*Page 9, lines 23-24*) by mirroring said file directory structure such that each file in said file directory structure becomes a node with a corresponding priority in said node tree on said broadcast streamer (*Page 9, lines 23-24*);

bandwidth allocation software that calculates a bandwidth allocation for each node of said node tree based on the corresponding priority of each said node (*Page 10, lines 7-12*); and

a multiplexer located on said broadcast streamer that multiplexes said nodes of said node tree with a regular broadcast stream resulting in an interactive data stream (*Page 6, lines 2-12 and page 7, lines 16-19, and page 9, line 30 to page 10, line 2*).

This summary does not provide an exhaustive or exclusive view of the present subject matter, and Appellant refers to each of the appended claims and its legal equivalents for a complete statement of the inventive subject matter.